

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<b>I. (a) PLAINTIFFS</b> Marlyn Phillips		<b>DEFENDANTS</b> Equifax Information Services LLC and John Does 1-10 and X, Y, Z Corporation			
(b) County of Residence of First Listed Plaintiff <u>Bucks County, PA</u> (EXCEPT IN U.S. PLAINTIFF CASES)		County of Residence of First Listed Defendant <u>Fulton County, GA</u> (IN U.S. PLAINTIFF CASES ONLY)			
		NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.			
(c) Attorney's (Firm Name, Address, and Telephone Number) Vicki Piontek, Esq. 951 Allentown Road, Lansdale, PA 19446		Attorneys (If Known) Catherine O. Raymond, 1880 JFK Blvd., 10th Floor, Philadelphia, PA 19103			
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)			
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	Citizen of This State	PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	PTF <input type="checkbox"/> 2 DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	PTF <input type="checkbox"/> 5 DEF <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3 DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6
<b>IV. NATURE OF SUIT</b> (Place an "X" in One Box Only)					
<b>CONTRACT</b>		<b>TORTS</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
				<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
					<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
					<input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>V. ORIGIN</b> (Place an "X" in One Box Only)		<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property			
<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court		<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 510 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify)		<input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge			
		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>15 U.S.C. 1681 et seq.</u>			
<b>VI. CAUSE OF ACTION</b>		Brief description of cause: <u>alleged violation of Fair Credit Reporting Act.</u>			
<b>VII. REQUESTED IN COMPLAINT:</b>		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ 28,887.50	CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>VIII. RELATED CASE(S) IF ANY</b>		(See instructions): JUDGE DOCKET NUMBER			
DATE 06/22/2011		SIGNATURE OF ATTORNEY OF RECORD <i>Catherine O. Raymond</i>			
FOR OFFICE USE ONLY					
RECEIPT #		AMOUNT	APPLYING IFFP	JUDGE	MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**DEFENDANT EQUIFAX INFORMATION SERVICES LLC'S  
NOTICE OF REMOVAL**

COMES NOW EQUIFAX INFORMATION SERVICES LLC ("Equifax"), and files this Notice of Removal pursuant to 28 U.S.C. §§ 1441(b) and 1446(a) and in support thereof respectfully shows the Court as follows:

## Procedural Background

1. Marlyn Phillips is the plaintiff. Equifax is named as the defendant.
2. On or about May 26, 2011, plaintiff filed a Complaint in the Court of Common Pleas of Bucks County, Pennsylvania, Civil Division (“State Court Civil Action”) alleging that Equifax reported false or erroneous information on plaintiff’s credit report in violation of the Fair Credit Reporting Act as well as other claims under Pennsylvania state law. Plaintiff requests a jury trial.
3. Equifax was served with Plaintiff’s Complaint on June 3, 2011. This Notice of Removal is being filed within the thirty (30) day time period required by 28 U.S.C. § 1446(b).

**Grounds for Removal**

4. The State Court Civil Action seeks damages for Equifax's alleged violations of the federal Fair Credit Reporting Act (15 U.S.C. § 1681 et. seq.) (*See*: Complaint attached hereto as Exhibit A). Therefore, the State Court Civil Action is an action over which this Court has original federal question jurisdiction pursuant to 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1681p.

5. Removal of the State Court Civil Action is proper pursuant to 28 U.S.C. § 1441(b) because the State Court Civil Action is founded on a claim or right arising under the Constitution, treaties or laws of the United States.

**Compliance With Procedural Requirements**

6. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is being filed with this Court within thirty (30) days after defendant Equifax received a copy of Plaintiff's pleading setting forth the claims for relief upon which Plaintiff's action is based.

7. Pursuant to 28 U.S.C. § 1441(a), venue of the removal action is proper in the United States District Court for the Eastern District of Pennsylvania because the county from which the State Court Civil Action is being removed lies within this district.

8. Promptly after filing this Notice of Removal, Equifax shall give written notice of the removal to the plaintiff and will file a copy of this Notice of Removal with the Clerk of the Court of Common Pleas of Bucks County, Pennsylvania as required by 28 U.S.C. § 1446(d).

9. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings and orders served upon defendant Equifax in the State Court Civil Action are attached hereto.

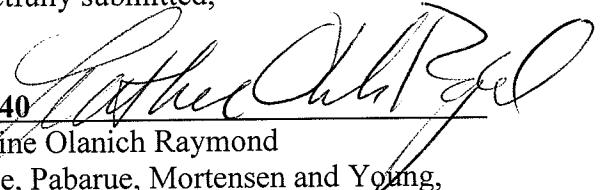
Such state court filings consist only of the Complaint and its exhibits, which are attached as Exhibit A.

10. Trial has not commenced in the Court of Common Pleas of Bucks County, Pennsylvania.

WHEREFORE, Equifax Information Services, LLC respectfully prays that the State Court Civil Action be removed to this Court and that this Court assume full jurisdiction as if it had been originally filed here.

Dated : June 22, 2011.

Respectfully submitted,

  
CR 1340  
Catherine Olanich Raymond

Christie, Pabarue, Mortensen and Young,

*A Professional Corporation*  
1880 JFK Boulevard, 10<sup>th</sup> Floor  
Philadelphia, PA 19103

(215) 587-1600  
[coraymond@cpmy.com](mailto:coraymond@cpmy.com)

*Attorneys for Defendant Equifax  
Information Services LLC*

## **EXHIBIT A**

In the Court of Common Pleas  
Of Bucks County, Pennsylvania

## NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you.

You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice to you for any money claimed in the Complaint or for any other claim or relief requested by Plaintiff(s).

You may lose money or property or other rights important to you.



Case Number: 2011-03207 4  
Receipt: Z486662 Judge: 34  
Code: 537 Filing: 9489449  
Patricia Bachtle - Bucks Co Prothonotary  
B09 5/31/2011 2:33:14 PM

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO  
NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL  
HELP:

Legal Aid of Southeastern Pennsylvania for Bucks County  
1290 Veterans Highway, Box 809, Bristol, PA 19007  
215-781-1111

Bucks County Legal Aid Society  
100 Union St, Doylestown, PA 18901  
(215) 340-1818

Bucks County Bar Association  
135 East State Street, PO Box 300, Doylestown, PA 18901  
215-348-9413

IN THE COURT OF COMMON PLEAS OF  
BUCKS COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

Marlyn Phillips	:	
854 Martha Lane	:	
Warminster, PA 18974	:	
Plaintiff	:	
Vs.	:	
Equifax Information Services LLC	:	
6 Clementon Road, East, Suite A2,	:	2011 - C 3207
Gibbsboro, New Jersey 08026	:	
and	:	
John Does 1-10	:	Jury Trial Demanded
and	:	
X, Y, Z Corporations	:	
Defendant	:	

**COMPLAINT**

1. This is an action brought by a consumer for violation of alleged violations of the Fair Credit Reporting Act (FCRA), 15 USC 1681 et. Seq..
2. Plaintiff is Marlyn Phillips, an adult individual, residing at 854 Martha Lane, Warminster, PA 18974.
3. Defendants is Equifax Information Services LLC, with a place of business located at 6 Clementon Road, East, Suite A2, Gibbsboro, New Jersey 08026.

**JURISDICTION AND VENUE**

4. Jurisdiction and venue are proper because a substantial portion of the transactions, occurrences or omissions took place in this jurisdiction.
5. Jurisdiction and venue are proper because Defendant regularly transacts business in this jurisdiction and avails itself of the market place in this jurisdictions.
6. Jurisdiction and venue are proper in this jurisdiction because witnesses may be located in this jurisdiction.
7. Jurisdiction and venue are proper in this jurisdiction because the Plaintiff whose credit report was allegedly affected by Defendant(s)' alleged unlawful behavior resides in this jurisdiction.

**COUNT ONE: VIOLATION OF THE FAIR CREDIT REPORTING ACT,  
15 USC 1681 et. seq.**

8. The previous paragraphs of this complaint are incorporated by reference and made a part hereof.
9. At all times pertinent hereto Plaintiff was a "consumer," as defined by 15 U.S.C. § 1681a(c).
10. At all times pertinent hereto, Defendant was a "person" and "consumer reporting agencies" as those terms are defined by 15 U.S.C. § 1681a(b) and (f).
11. At all times pertinent hereto, the credit reports mentioned in this complaint were "consumer reports" as that term is defined by 15 U.S.C. § 1681a(d).
12. Defendant is an entity who, regularly and in the course of business, furnishes information to one or more credit reporting agencies about Defendants(s) transactions or experiences with any consumer and Defendant is a "furnisher," as codified at 15 U.S.C. § 1681s-2.

13. Plaintiff disputed the alleged account(s) in writing with Defendant(s). See Attached exhibits.
14. Defendant(s) received Plaintiff's disputes concerning the alleged account(s). See attached exhibits.
15. Defendant purported to have investigated the disputed account(s), and verified the disputed information concerning such account(s). See attached exhibits.
16. Plaintiff requested that Defendant conduct a reinvestigation pursuant to 15 USC 1681 i. See attached exhibits.
17. Defendant did conduct one or more reinvestigations pursuant to 15 USC 1681 i, at which time Defendant(s) purportedly t such accounts. See attached exhibits.
18. Pursuant to 15 USC 1681 i, et. seq. Defendant had a duty to inform Plaintiff upon Plaintiff's written request as to what Defendant(s) method of verification was when Defendant(s) conducted such reinvestigation(s).

19. Plaintiff sent Defendant(s) written requests asking Defendant(s) what method of verification that Defendant(s) used to conduct the reinvestigation. See attached exhibits.
20. Defendant refused to inform Plaintiff what Defendant(s) method of verification was following Plaintiff's written request to Defendant(s) to do so.
21. Defendant(s) breached its / their duty under 15 USC 1681 i, et. seq. to inform Plaintiff as to what Defendant(s) method of verification was when Defendant(s) conducted such reinvestigation(s).

## **LIABILITY**

22. The previous paragraphs of this complaint are incorporated by reference and made a part hereof .
23. At all times various employees and / or agents of Defendant were acting as agents of Defendant, and therefore Defendant is liable to for the acts committed by its agents and / or employees under the doctrine of respondeat superior.
24. At all times various employees and / or agents of Defendant were acting jointly and in concert with Defendant, and Defendant is liable for the acts of such employees and / or agents under the theory of joint and several liability because Defendant and its agents were engaged in a common business venture and were acting jointly and in concert.

## DAMAGES

25. The preceding paragraphs are incorporated by reference and made a part hereof.
26. Plaintiff's actual damages are \$1.00 more or less, including but not limited to postage, phone calls, fax, gas, mileage, etc.
27. \$1,000,000 statutory damages under 15 USC 1681 et. seq.
28. Plaintiff suffered some distress and anger as a result of his rights being violated by Plaintiff and the rights of other consumers.
29. The value of Plaintiff's emotional distress shall be proven at trial.
30. Plaintiff believes and avers that for purposes of a default judgment, Plaintiff's distress has a Dollar value of no less than \$5,000.00.
31. Plaintiff believes and avers that the acts committed by Defendant are willful, wanton intentional, or reckless at best. Plaintiff believes and avers that Defendant's acts are systemic. Therefore, punitive damages are warranted.
32. Plaintiff believes and avers that punitive damages should be awarded to Plaintiff in the amount of no less than \$20,000.

33. Attorney fees of \$2,887.50 at a rate of \$350.00 per hour, described below.

a. Consultation with Client and drafting dispute letters and letters of inquiry	4
b. Drafting, review and editing of complaint	2
c. Travel, document processing and filing	1
d. Service of Process	.25
e. Follow up correspondence with Defense	1
<hr/>	
Total = 8.25	\$2,887.50

34. Plaintiff's attorney fees continue to accrue as the case moves forward.

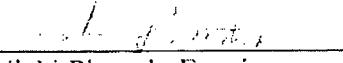
**INJUNCTIVE RELIEF**

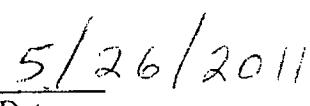
35. Plaintiff seeks an order from this Honorable Court Directing Defendant(s) to provide written description of the method of verification that was used by Defendant(s) to conduct the reinvestigation on Plaintiff's account referenced in the attached exhibits.

**OTHER RELIEF**

36. Plaintiff requests such other relief as this court may deem just and proper.

Wherefore, Plaintiff demands judgment against Defendant(s) in the amount of \$28,887.50 (actual damages, statutory damages, attorney fees). Plaintiff also seeks punitive damages. Plaintiff also seeks such other relief as this Court deems fair and just.

  
\_\_\_\_\_  
Vicki Piontek, Esquire  
Attorney for Plaintiff  
951 Allentown Road  
Lansdale, PA 19446  
877-737-8617  
Fax: 866-408-6735  
palaw@justice.com

  
\_\_\_\_\_  
Date

BUCKS COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

Marlyn Phillips :  
854 Martha Lane :  
Warminster, PA 18974 :  
Plaintiff :  
Vs. :  
Equifax Information Services LLC :  
6 Clementon Road, East, Suite A2, : Jury Trial Demanded  
Gibbsboro, New Jersey 08026 :  
and :  
John Does 1-10 :  
and :  
X, Y, Z Corporations :  
Defendant :

**VERIFICATION**

I, Marlyn D. Phillips, affirm that the statements contained in the Complaint against Equifax are true and accurate to the best of my knowledge, understanding and belief.

Marylyn D. Phillips 2/24/2011  
Marylyn D. Phillips Date

Marlyn Philips  
854 Martha Lane  
Warminster, PA 18974  
215 [REDACTED]

Experian Information Services  
P.O. Box 2002  
Allen, TX 75013

Trans Union Corporation  
P.O. Box 1000,  
Chester, PA 19022

Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

**RE: Marlin Philips SSN [REDACTED]**  
**Account Number: 13311602**  
**CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA**

To Whom it May Concern:

I dispute the above referenced derogatory information on my credit report. The amount stated is excessive and inflated.

I have requested documentation of the charged from Cavalry Portfolio Services. Cavalry Portfolio Services has failed to provide sufficient proof of the alleged balance.

Cavalry Portfolio Services has failed to provide documentation that they are the real party in interest. They have failed to provide a copy of the original contract which justified the excessive charges. They have failed to provide a breakdown of the changes including principle, late fee and interest.

Sincerely,

Sincerely,  
Marlyn D. Phillips 5-9-2010  
Marlyn D. Phillips Date



**CREDIT FILE : May 19, 2010**  
**Confirmation # 0137051303**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contained in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 884-9043 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

**The Results Of Our Reinvestigation**

**>>> We have reviewed your concerns and our conclusions are:**

The disputed arrow financial services account, FIA card services account and MBNA account /41444195 are currently Not reporting on the Equifax credit file.

**Collection Agency Information (This section includes accounts that have been placed for collection with a collection agency.)**

**>>> We have researched the collection account. Account # - 13311602 The results are:** This creditor has verified to Equifax that the balance is being reported correctly. If you have additional questions about this item please contact: **Cavalry Portfolio Services, 7 Skyline Dr Ste 3, Hawthorne NY 10532-2162**

Cavalry Portfolio Services; Collection Reported 05/2010; Assigned 06/2008; Creditor Class - Banking; Client - Bank of America; Amount - \$10,901 : Status as of 05/2010 - Unpaid; Date of 1st Delinquency 06/2006; Balance as of 05/2010 - \$12,125 ; Individual Account; Account # - 13311602; ADDITIONAL INFORMATION - Consumer Disputes This Account Information; Collection Account; Address: 7 Skyline Dr Ste 3 Hawthorne NY 10532-2162 : (800) 501-0909

**Notice to Consumers**

Upon receipt of your dispute, we first review and consider the relevant information you have submitted regarding the nature of your dispute. If the review does not resolve your dispute and further investigation is required, notification of your dispute, including the relevant information you submitted, is provided to the source that furnished the disputed information. The source reviews the information provided, conducts an investigation with respect to the disputed information and reports the results back to us. The credit reporting agency then makes deletions or changes to your credit file as appropriate based on the results of the reinvestigation. The name, address and, if reasonably available, the telephone number of the furnisher(s) of the information contacted while processing your dispute(s) is shown under the "Results of Your Investigation" section on the cover letter that accompanies the copy of your revised credit file.

If you still disagree with an item after it has been verified, you may send to us a brief statement, not to exceed one hundred words (two hundred words for Maine residents), explaining the nature of your dispute. Your statement will become part of your credit file and will be disclosed each time that your credit file is accessed.

If the reinvestigation results in a change to or deletion of the information you are concerned about, or you submit a statement in accordance with the preceding paragraph, you have the right to request that we send your revised credit file to any company that received your credit file in the past six months (twelve months for California, Colorado, Maryland, New Jersey and New York residents) for any purpose or in the past two years for employment purposes.

( Continued On Next Page )

Page 1 of 2

0137051303APP-000827758- 1416 - 6869 - AS



001416  
000827758-1416  
Marlyn D Phillips  
854 Marsha Ln  
Warrington, PA 18974-2958

P. O. Box 105518  
Atlanta, GA 30348

Marlyn Philips  
854 Martha Lane  
Warminster, PA 18974  
215-████████

Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

**RE: Marlin Philips SSN ██████████**  
**Account Number: 13311602**  
**CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA**

To Whom it May Concern:

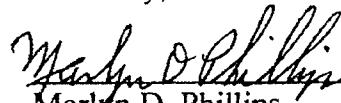
Recently I disputed the above referenced account with your company in May of 2010. See Exhibit A.

Your company then wrote back to me in May of 2010 indicating that the alleged account had been verified. See Exhibit B.

Please describe the method of verification that was used to verify this particular account. What method of verification was used to verify the above referenced account after I disputed it?

Thank you.

Sincerely,

  
Marlyn D. Phillips 7/26/2010  
Date



**CREDIT FILE : August 5, 2010**  
**Confirmation # 0216023845**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contained in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 265-8817 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.



001654  
000860445-1654  
Marlyn D Phillips  
854 Martha Ln  
Warminster, PA 18974-2958

P. O. Box 105518  
Atlanta, GA 30348

**The Results Of Our Reinvestigation**

**Collection Agency Information (This section includes accounts that have been placed for collection with a collection agency.)**

**>>> We have researched the collection account. Account # - 13311602 The results are:** The balance of this item has been updated. If you have additional questions about this item please contact: **Cavalry Portfolio Services, 7 Skyline Dr Ste 3, Hawthorne NY 10532-2162**

Cavalry Portfolio Services: Collection Reported 08/2010: Assigned 06/2008; Creditor Class - Banking; Client - Bank of America; Amount - \$10,901 : Status as of 08/2010 - Unpaid; Date of 1st Delinquency 06/2006; Balance as of 08/2010 - \$12,265 ; Individual Account; Account # - 13311602; ADDITIONAL INFORMATION - Consumer Disputes This Account Information; Collection Account: Address: 7 Skyline Dr Ste 3 Hawthorne NY 10532-2162 : (800) 501-0909

**Notice to Consumers**

Upon receipt of your dispute, we first review and consider the relevant information you have submitted regarding the nature of your dispute. If the review does not resolve your dispute and further investigation is required, notification of your dispute, including the relevant information you submitted, is provided to the source that furnished the disputed information. The source reviews the information provided, conducts an investigation with respect to the disputed information and reports the results back to us. The credit reporting agency then makes deletions or changes to your credit file as appropriate based on the results of the reinvestigation. The name, address and, if reasonably available, the telephone number of the furnisher(s) of the information contacted while processing your dispute(s) is shown under the "Results of Your Investigation" section on the cover letter that accompanies the copy of your revised credit file.

If you still disagree with an item after it has been verified, you may send to us a brief statement, not to exceed one hundred words (two hundred words for Maine residents), explaining the nature of your dispute. Your statement will become part of your credit file and will be disclosed each time that your credit file is accessed.

If the reinvestigation results in a change to or deletion of the information you are concerned about, or you submit a statement in accordance with the preceding paragraph, you have the right to request that we send your revised credit file to any company that received your credit file in the past six months (twelve months for California, Colorado, Maryland, New Jersey and New York residents) for any purpose or in the past two years for employment purposes.

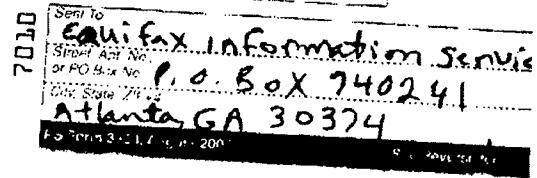
Marlyn Phillips  
854 Martha Lane  
Warminster, PA 18974  
215- [REDACTED]



Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

By Certified U.S. Mail

**RE: Marlyn Phillips SSN [REDACTED]**  
**Account Number: 13311602**  
**CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA**  
**Alleged Balance \$12,125**



To Whom it May Concern:

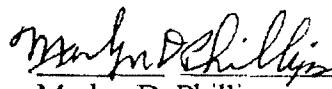
Recently I disputed the above referenced account with your company. The basis of my dispute was that the balance was excessive and inflated, and not supported by any existing contract.

Equifax has investigated the account, verified it, and then reinvestigated it twice. See Exhibit A. The results of each investigation have been virtually identical.

Please describe the method of verification that was used in your reinvestigation. What method of verification was used to investigate the above referenced account after I disputed it?

Thank you.

Sincerely,

  
Marlyn D. Phillips 8-22-2010  
Date

**EQUIFAX**

**CREDIT FILE : September 16, 2010**  
**Confirmation # 0241013082**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contained in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 265-8823 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

001100



000880780-1100  
Martyn D Phillips  
854 Martha Ln  
Warminster, PA -

000880780-1100  
Marlyn D Phillips  
854 Martha Ln  
Warminster, PA 18974-2958

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### The Results of our Reinvestigation

**Collection Agency Information** (This section includes accounts that have been placed for collection with a collection agency.)

>> **We have researched the collection account. Account # - 13311602 The results are:** This item has been updated to report as paid in full. Additional information has been provided from the original source regarding this item. If you have additional questions about this item please contact: **Cavalry Portfolio Services, 7 Skyline Dr Ste 3, Hawthorne NY 10532-2162**

**Notice to Consumers**

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If you still disagree with an item after it has been verified, you may send to us a brief statement, not to exceed one hundred words (two hundred words for Maine residents), explaining the nature of your dispute. Your statement will become part of your credit file and will be disclosed each time that your credit file is accessed.

If the reinvestigation results in a change to or deletion of the information you are concerned about, or you submit a statement in accordance with the preceding paragraph, you have the right to request that we send your revised credit file to any company that received your credit file in the past six months (twelve months for California, Colorado, Maryland, New Jersey and New York residents) for any purpose or in the past two years for employment purposes.

(Continued On Next Page)

Marlyn Phillips  
854 Martha Lane  
Warminster, PA 18974  
215-917-4418

Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

**REQUEST FOR REINVESTIGATION AND REQUEST FOR METHOD OF  
VERIFICATION IN PREVIOUS INVESTIGATION**

**RE: Marlyn Phillips SSN [REDACTED]  
Account Number:13311602  
CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA  
Alleged High Balance \$10,901**

To Whom it May Concern:

Recently I disputed the above referenced account with your company. The basis of my dispute was that the alleged high balance was excessive and inflated, and not supported by any existing contract. I never owed Cavalry Portfolio \$10,901. That amount was excessive and inflated with fees and interest that I did not legally owe.

Equifax has investigated the account, verified it, and then reinvestigated it on more than one occasion.

Please describe the method of verification that was used in your reinvestigation. What method of verification was used to investigate the above referenced account after I disputed it?

Thank you.

Sincerely,

Marlyn D Phillips 01/13/2011  
Marlyn D. Phillips Date

Marlyn D. Phillips  
854 Martha Lane  
Warminster, PA 18974  
215-917-4418

Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

By Certified U.S. Mail

**REQUEST FOR REINVESTIGATION AND REQUEST FOR METHOD OF  
VERIFICATION IN PREVIOUS INVESTIGATION**

**RE: Marlyn D. Phillips      SSN [REDACTED]**  
**Account Number: 13311602**  
**CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA**  
**Alleged High Balance \$10,901**

To Whom it May Concern:

Recently I disputed the above referenced account with your company. The basis of my dispute was that the alleged high balance was excessive and inflated, and not supported by any existing contract. I never owed Cavalry Portfolio \$10,901. That amount was excessive and inflated with fees and interest that I did not legally owe.

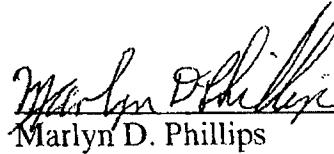
Cavalry Portfolio has contradictory records. They are reporting \$10,901 to your company (Exhibit A), and \$12,263 to Transunion (Exhibit B).

Equifax has investigated the account, verified it, and then reinvestigated it on more than one occasion.

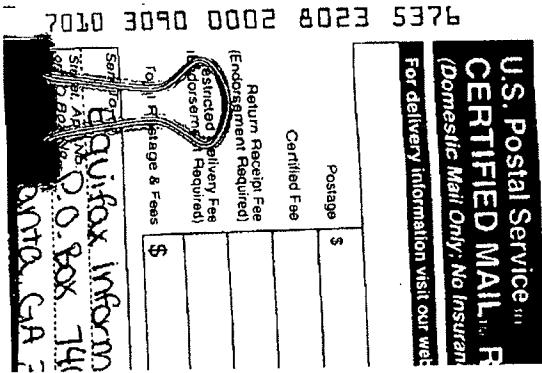
Please describe the method of verification that was used in your reinvestigation. What method of verification was used to investigate the above referenced account after I disputed it?

Thank you.

Sincerely,

  
Marlyn D. Phillips

3/01/2011  
Date





**CREDIT FILE : February 4, 2011**

**Confirmation # 1021015757**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contain in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 873-5455 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

**The Results Of Our Reinvestigation**

**>>> We have reviewed the current address. The results are:** The current address has been added/updated per the information you have supplied. **854 Martha Ln Warminster PA 18974**

**Collection Agency Information** (This section includes accounts that have been placed for collection with a collection agency.)

**>>> We have researched the collection account. Account # - 13311602 The results are:** This item has been updated to report as paid in full. If you have additional questions about this item please contact: **Calvary Portfolio Services, 7 Skyline Dr Ste 3, Hawthorne NY 10532-2162**

Calvary Portfolio Services; Collection Reported 02/2011; Assigned 06/2008; Creditor Class - Banking; Client - Bank of America; Amount - \$10,901 ; Status as of 02/2011 - In Bankruptcy; Date of 1st Delinquency 05/2006; Balance as of 02/2011 - \$0 ; Individual Account; Account # - 13311602; ADDITIONAL INFORMATION - Consumer Disputes - Reinvestigation in Process; Consumer Disputes This Account Information; Address: 7 Skyline Dr Ste 3 Hawthorne NY 10532-2162 : (800) 501-0909

**Notice to Consumers**

Upon receipt of your dispute, we first review and consider the relevant information you have submitted regarding the nature of your dispute. If the review does not resolve your dispute and further investigation is required, notification of your dispute, including the relevant information you submitted, is provided to the source that furnished the disputed information. The source reviews the information provided, conducts an investigation with respect to the disputed information and reports the results back to us. The credit reporting agency then makes deletions or changes to your credit file as appropriate based on the results of the reinvestigation. The name, address and, if reasonably available, the telephone number of the furnisher(s) of the information contacted while processing your dispute(s) is shown under the "Results of Your Investigation" section on the cover letter that accompanies the copy of your revised credit file.

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000206



000925910-206  
Marlyn D Phillips  
854 Martha Ln  
Warminster, PA 18974-2958

P.O. Box 105518  
Atlanta, GA 30348



**CREDIT FILE : February 16, 2011**  
**Confirmation # 1046002371**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contain in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 873-5455 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

001680  
  
000931106-1680  
Marlyn D Phillips  
854 Martha Ln  
Warrminster, PA 18974-2958

P. O. Box 105518  
Atlanta, GA 30348

**The Results Of Our Reinvestigation**

**Collection Agency Information** (This section includes accounts that have been placed for collection with a collection agency.)

**>>> We have researched the collection account. Account # - 13311602 The results are:** This creditor has verified to Equifax that the balance is being reported correctly. If you have additional questions about this item please contact: **Cavalry Portfolio Services, 7 Skyline Dr Ste 3, Hawthorne NY 10532-2162**

Cavalry Portfolio Services; Collection Reported 02/2011; Assigned 06/2008; Creditor Class - Banking; Client - Bank of America; Amount - \$10,901 ; Status as of 02/2011 - In Bankruptcy; Date of 1st Delinquency 05/2006; Balance as of 02/2011 - \$0 ; Individual Account; Account # - 13311602; ADDITIONAL INFORMATION - Consumer Disputes This Account Information; Collection Account; Address: 7 Skyline Dr Ste 3 Hawthorne NY 10532-2162 : (800) 501-0909

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Marlyn D. Phillips  
854 Martha Lane  
Warminster, PA 18974  
215- [REDACTED]

Equifax Information Services  
P.O. Box 740241  
Atlanta, GA 30374

By Certified U.S. Mail

**REQUEST FOR METHOD OF VERIFICATION**

**RE: Marlyn D. Phillips SSN [REDACTED]**  
**Account Number: 13311602**  
**CAVALRY PORTFOLIO SERVICES / BANK OF AMERICA**  
**Alleged High Balance \$10,901**

To Whom it May Concern:

Recently I disputed the above referenced account with your company.

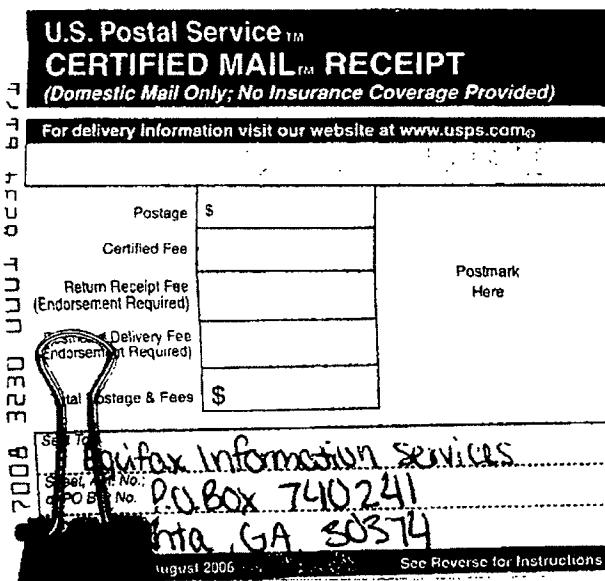
Equifax has investigated the account, verified it, and then reinvestigated it on more than one occasion. Because a reinvestigation occurred, I am entitled to know the method of verification that your company used to allegedly verify the alleged account.

Please describe the method of verification that was used in your reinvestigation. What method of verification was used to investigate the above referenced account after I disputed it?

Thank you.

Sincerely,

*Marlyn D. Phillips* 3/24/2011  
Marlyn D. Phillips Date





**CREDIT FILE : March 8, 2011**  
**Confirmation # 1067034103**

Dear Marlyn D Phillips:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contained in this letter within the next 60 days by visiting us at [www.investigate.equifax.com](http://www.investigate.equifax.com) or by calling a Customer Representative at (888) 873-5648 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

**The Results Of Our Reinvestigation**

**>>> We have reviewed your concerns and our conclusions are:**

The disputed cavalry portfolio seervices/bank of america account /13311602 is currently not reporting on the Equifax Credit file.

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001258

000939609-1258  
Marlyn D Phillips  
854 Martha Ln  
Wainminster, PA 18974-2958

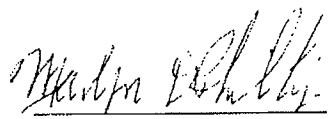
P. O. Box 105158  
Atlanta, GA 30348

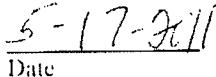
IN THE COURT OF COMMON PLEAS  
OF BUCKS COUNTY, PENNSYLVANIA  
CIVIL ACTION-LAW

Marlyn Phillips	:
854 Martha Lane	:
Warminster, PA 18974	:
Plaintiff	:
vs.	:
Cavalry Portfolio Services	:
7 Skyline Drive	:
Suite 3	:
and	:
John Does 1-10	:
and	:
X, Y, Z Corporations	:
Defendant	:

**VERIFICATION**

I, Marlyn Phillips, affirm that the statements contained in the attached complaint are true and correct to the best of my knowledge understanding and belief.

  
\_\_\_\_\_  
Marlyn Phillips

  
\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a true and correct copy of the foregoing NOTICE OF REMOVAL by depositing same in the United States mail, properly addressed with sufficient postage affixed thereto to ensure delivery to:

Vicki Piontek, Esq.  
951 Allentown Road  
Lansdale, PA 19446

By:   
Attorney for Defendant Equifax Information Services LLC

Dated: June 22, 2011.